

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:

SANDRA HASTY RORIE

**10-80566
CHAPTER 13**

OBJECTION TO CONFIRMATION

COMES NOW American Home Mortgage Servicing, Inc. Servicer for Wells Fargo Bank, N.A., as Trustee for Securitized Asset Backed Receivables LLC Trust 2005-OP2, Mortgage Pass-Through Certificates, Series 2005-OP2 ("AHM"), by and through undersigned Counsel, and hereby objects to the confirmation of the Debtor's plan. The objection is supported as follows:

1. The Debtor Sandra Hasty Rorie, filed her Chapter 13 bankruptcy on March 29, 2010, in the Middle District of North Carolina, Durham Division.
2. The petition lists AHM as having a secured claim on the Debtor's real property located at 2403 Lindmont Ave, Durham, NC 27704.
3. The Plan proposes to modify AHM's secured claim to a fixed interest rate of 5% over the remaining term of the loan.
4. American Home Mortgage Servicing, Inc. has filed a Proof of Claim, dated May 21, 2010, listing a total secured claim of \$155,915.27.
5. The Plan as proposed fails to comply with the provisions of 11 U.S.C. § 1325.

WHEREFORE, American Home Mortgage Servicing, Inc. prays the Court grant the following relief:

1. Modify the plan to provide for the payment of the pre-petition arrears and post-petition payments due to AHM at the contractual rate of interest.
2. In the alternative, deny confirmation of the Debtor's Plan for failure to comply with 11 U.S.C. § 1325;
3. Approve AHM's attorney's fees for this Objection;
4. For such other and further relief as this Court deems just and proper.

This the 15th day of June, 2010

S/Kimberly A. Sheek
Kimberly A. Sheek
N.C. State Bar No.: 34199
Attorney for Creditor
American Home Mortgage Servicing, Inc.
SHAPIRO & INGLE, L.L.P.
8520 Cliff Cameron Drive, Suite 300
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704/333-8107

10-000574

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NOTICE

TAKE NOTICE that an objection has been filed by American Home Mortgage Servicing, Inc. A copy of the objection accompanies this notice.

TAKE FURTHER NOTICE that a hearing will be held on this objection. The Court will conduct a hearing and provide notice of the time, date and place of hearing.

Dated the 15th day of June, 2010.

S/Kimberly A. Sheek

Kimberly A. Sheek

N.C. State Bar No.: 34199

Attorney for

American Home Mortgage Servicing, Inc.

SHAPIRO & INGLE, L.L.P.

8520 Cliff Cameron Drive, Suite 300

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(704) 333-8107

Address of Court:

William L. Schwenn

U.S. Bankruptcy Clerk

P.O. Box 26100

Greensboro, NC 27420-6100

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing and annexed pleading or paper upon:

(Served via U.S. Mail)
Sandra Hasty Rorie
2403 Lindmont Avenue
Durham, NC 27704

(Served via Electronic Notification Only)
John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

(Served via Electronic Notification Only)
Richard M. Hutson, II
302 East Pettigrew St., Suite B-140
Durham, NC 27702

by depositing the same in a postpaid wrapper properly addressed to each such party or his attorney of record in a post office or other official depository under the exclusive care and custody of the United States Postal Service or by electronic mail, if applicable. Any party that can be served by electronic mail will receive no other form of notice.

This the 15th day of June, 2010.

S/Kimberly A. Sheek
Kimberly A. Sheek
N.C. State Bar No.: 34199
SHAPIRO & INGLE, L.L.P.
8520 Cliff Cameron Drive, Suite 300
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